## Weekly National Intelligencer Kanoner

DEBATE IN THE SENATE.

HARBOR AND RIVER BILL-(CONTINUED.)

MONDAY, MARCH 3-In continuation. eral amendments having been discussed and dis-, as already published.

Mr. FOO PE. It is nearly half past three o'clock. We

are human beings; we must eat; we must refresh ourselves.

I move that the Senate take a recess until five o'clock.

Mr. DICKINSON. Some of us dine at five o'clock. Say

Mr. Discourse of the process.
Mr. CLAY. I hope we will take no recess.
Mr. FOOTE. I move to postpone the further contien of the bill until six o'clesk this evening.
Mr. WALKER. I call for the yeas and nays.
The yeas and nays were ordered.
Mr. FOOTE. I do not think my constituents were allower.

Mr. POOTE. I do not think my constituents will blame me for cating my dinner.

Mr. SEBASTIAN. I wish to inquire of the Chair whether, if we take a recess, this same subject will come up as a matter of course when we re-assemble?

Mr. BELL. You will never reach it again.

The PRESIDENT. A recess being taken by consent of the Sen ate, it will come up again; but, if the motion to postpone be agreed to, it will require a motion to take up the bill.

The question being taken by years and says on the motion to postpone, it resulted as follows:

WEAS—Messre. Atchison, Herrien, Bradbury, Butter, Clemens, Brwis, of Mississippi, Dawson, Bowns, Foote, Hale, Handin, Housten, Heater, King, Mason, Morton, Norris, Ribett, Rusk, Soule, Sturgeon, Turney, Vulce—23.

NIAYS—Messre. Bedger, Baldwin, Bell, Borland, Bright, Chase, Clarke, Clay, Cooper, Davis, of Massachusetta, Dickinson, Dodge, of Wisconsin, Dodge, of Iowa, Douglas, Ewing, Tickh, Greene, Jones, Mangum, Miller, Phelps, Pratt, Rantoni, Sebastian, Seward, Shields, Smith, Spruance, Underwardod, Uphama, Walles, Walker—32.

So the motion was rejected.

Mr. YULDE. I move to amend the bill by adding at the "No part of the appropriations authorized by this act shall go into effect until all the outstanding bonds for the public debt shall have been paid and cancelled."

So the motion was rejected.

I sek for the yeas and nays on the amendment. The year and nays were ordered, and being taken resulted

we follows:

YEAS—Messrs. Atchison, Butler, Clemens, Davis, of Mississippi, Dawson, Downs, Foote; Houston, Hunter, King, Mason, Morton, Norris, Rhett, Seule, Sturgeon, Turney, Walker, and Yulee—19.

NATS—Messrs. Badger, Baldwin, Bell, Berrien, Borland, Bright, Chase, Clarke, Clay, Cooper, Davis, of Massashasetts, Dickinson, Dedge, of Wisconsin, Bodge, of Iowa, Ewing, Felch, Greene, Hamlin, Jones, Mangum, Miller, Pearce, Phelps, Pratt, Rantoul, Seward, Shields, Spruance, Underwood, Upham, and Wales—31.

So the amendment was rejected. So the amendment was rejected.

Mr. FOOTE. I move to amend the bill by adding : "No part of the appropriations authorized by this act shall go into effect until all the outstanding bonds for the pub-lic debt shall have been paid and cancelled, unless it be such portions thereof as are based upon official estimates, and are

a national character.

Mr. MASON called for the yeas and nays.

Mr. MASON called for the yeas and nays. They were ordered, and being taken resulted as follows:
YEA:—Messrs. Atchison, Bradbury, Clemens, Davis, of
Mississippi, Dawson, Dickinson, Bowns, Foote, Hamlin,
King, Mason, Merton, Norris, Rhett, Soele, Sturgeon, and
Walker—17.

King, Mason, Merton, Norris, Rueu, Some, Walker—17.

NAVS—Mesers. Badger, Baldwin, Bell, Berrien, Borland, Bright, Cass, Chase, Clarke, Clay, Cooper, Davis, of Massachusetts, Dodge, of Wisconsin, Dodge, of Iowa, Ewing, Felch, Greene, Houston, Jones, Mangum, Pearce, Phelps, Pratt, Rantoul, Rusk, Seward, Shields, Smith, Spruance, Underwood, Upham, and Wales—32.

So the amendment was rejected.

Mr. DICKINSON. I hope that by unanimous consent a recess will be taken until six o'clock. I believe it will ad-Several SENATORS. Oh, no.

Mr. CLAY. I object.
Mr. DICKINSON. The Senator can object after I get through. I believe we shall be better qualified to attend to business, and better fitted to endure a long sitting by taking a recess, than by continuing without one.

Mr. FOOTE. To accomplish the object of my friend from New York, I move to postpone the further consideration

of the bill until six o'clock.

Mr. SEWARD. I call for the yeas and nays. The yeas and nays were ordered, and being taken were as

The yeas and nays were ordered, and being taken were as ollows:

YEAS—Messrs. Atchison, Berrien, Bradbury, Bright, Butler, Cass, Clemens, Davis, of Mississippi, Dawson, Downs, Foote, Hamlin, Houston, Hunter, King, Mason, Morton, Norris, Rhetz, Goule, Sturgeon, Turney, and Yulee—23.

NAYS—Messrs. Badger, Baldwin, Bell, Borland, Chase, Clarke, Clay, Cooper, Davis, of Massachusetts, Dickinson, Dodge, ot Wisconsin, Dodge, of Iowa, Ewing, Felch, Greene, Jones, Mangum, Miller, Pearce, Phelps, Pratt, Rantoul, Seward, Shields, Smith, Spruance, Underwood, Upham, Wales, and Walker—30.

So the motion was not agreed to.

Mr. MASON. I have an amendment to propose. I think

Mr. MASON. I have an amendment to propose. I think it has become apparent that it is the purpose of the majority to authorize the expenditure of the public money for the improvement of rivulets and atreams the character of which is pose of that majority to authorize the expenditure of the pub-lic money beyond the limits of the United States. I propose to limit the expenditure of the appropriation to remove obstructions from the Rio Grande to that part of the river which lies within the limits of the United States, by adding:

"But the expenditure of this sum is to be confined to obstructions in said river within the limits of the United States."

The treaty with Mexico defines the boundary of the Uniwhich the amendment is intended to affect authorizes the re-moval of obstructions from that river, and the amendment is to confine the expenditure to the limits of the United States. Mr. FOOTE. I am rather inclined to think my friend from Virginia made a mistake in regard to a fact, which be has stated. He seems to overlook the fact which I think most obvious at the present time, that there is a sort of gening that in the course of a few months the whole of that portion of Mexico will be annexed to the Uni-

Mr. MASON. In reference to that I would say, "sufficient for the day is the evil thereof." At present the boundary of the United States is the middle of the Rio Grande, and the bill authorizes the expenditure any where in that

wr. BELL. "Rio Grande river, Texas."

Mr. BORLAND. I would call attention to the words of

the bill. They are: "For the removal of the obstruction in the Rio Grande river, Texas, \$25,700."

Mr. FOOTE. The reading of the bill actually makes it worse. It will be seen that its framers locate the whole Rio Grande river, in Texas. We ought to correct the geographical mistake, any how. Surely we do not wish to legislate for the purpose of seizing on the Mexican territory, by saying that the Rio Grande is in Texas, when part of it is in Mexico. I think that, in comity to the people of Mexico, we ought not to seize the whole river, although there seems to be a manifest disposition here to monopolize it.

Mr. BUTLER. I presume the appropriation is intended for the improvement of the Texan side of the river. Now, no nation would allow you to dig a channel on your side of the river, and throw the sand banks on their side. Such a proposition would not be heard of, unless we assume power on the ground of war. Mr. FOOTE. It would be cause of war.

Mr. EWING. We can take the snegs out. Mr. BUTLER. But if you take the snags out it may disturb the whole river. A Roman emperor said that the dispute for one inch of ground was equal to a dispute for the

whole bill. It has not been maturely considered. It has been forced upon Congress at a time when there was no opportunity to consider it. It locates the Rio Grande within the United States. Such an assumption been forced upon Congress at a time when the portunity to consider it. It locates the Rio Grande within the United States. Such an assumption would certainly be offensive to any nation, and a regard for Mexico, international courtesy, and justice would seem to prescribe that no such thing should be done. Even between the two States of South Carolina and Georgia—I believe Georgia is a little South Carolina and Georgia—I believe Georgia is a little South Carolina and Georgia—I believe Georgia is a little state of the stat meulting her.

Mr. BERRIEN. You have no right to the Savannah

Mr. BUTLER. A friend save we have no right to the Mr. BUTLER. A friend says we have no right to the Savannah river. We take the right. The truth is, that Georgia has been rather pretensive on this subject. But I have mentioned this as an illustration of the point. We would not undertake to interfere with the navigation of the Savannah river without the permission of Georgia. Georgia would not do it without consulting South Carolina. Hence the provision in the act of Congress in relation to the matter. I will not attempt to dictate to Maxico in this way.

nays, resulted:

YEAS—Messrs. Atchiron, Berrien, Bradbury, Butler, Cass, Clemens, Davis, of Mississippi, Dawson, Dickinson, Downs, Foote, Houston, Hunter, King, Mason, Morton, Norria, Rhett, Soule, Sturgeon, and Turney—21.

NAYS—Messrs. Badger, Baldwin, Bell, Borland, Bright, Chase, Glarke, Clay, Cooper, Davis, of Massachusetts, Dodge, of Wisconsin, Ewing, Felch, Greene, Hamlin, Jones, Mangum, Miller, Pearce, Phelps, Pratt, Rantoul, Rusk. Seward, Shields, Smith, Spruance, Underwood, Wales, Walker, and Whittomb—31.

Whiteomb—31.

So it was rejected.

Mr. FOOTE. I move to insert before the words "Rio Grande river," the words "that part of," and after the word "river" the word "in," so as to make it read, "for removing obstructions in that part of the Rio Grande river in Texas."

Texas; but I wish not to interfere with the rights of a neighboring republic.

The question being taken on the amendment, by year and nays, resulted:

YEAS—Messrs. Atchinson, Bertien, Bradbury, Clemens, Davis, of Mississippi, Dawson, Downs, Foote, Hunter, Mason, Morton, Norris, Soule, and Sturgeon—14.

YEAS—Messrs. Badger, Baldwin, Bell, Borland, Bright, Cass, Chase, Clarke, Clay, Davis, of Massachusetts, Dickinson, Dodge, of Wisconsin, Dodge, of Iowa, Ewing, Felch, Greene, Houston, Jones, Mangum, Miller, Pratt, Rantoul, Rusk, Seward, Shields, Smith, Spruance, Underwood, Wales, and Walker—30.

So the motion was rejected.

Mr. DAVIS, of Mississippi. I move, in the two hundred and thirteenth line, to strike out the word "Texas" and in-

sert "in New Mexico," so as to make the clause read-

"For removing the obstructions in the Rio Grande river in New Mexico, \$25,700." I do not propose to strike out any portion of the dollars connected with this item, but merely to strike out the words "in Texas," and insert "in New Mexico." I propose that, if the Senate insist on spending that number of dollars, they will at least expend it where they have a right to do so, and where they will not do it for the mere purpose of expending money in violation of the treaty obligations existing between the United States and Mexico. I remarked on Saturday that the reaty obligations bound us not to interfere with the Rio Grande, where it was the boundary between the United States and Mexico. The Senate have just decided that they would not ask the consent of Mexico before proceeding with the improvement of the Rio Grande. This is a new mode of an nulling the obligations of a treaty—a majority of the Senate

In order that this matter may be fairly understood I send to the Secretary the treaty of Guadalupe Hidalgo, and I ask him to read the 7th article of it. The SECRETARY accordingly read the article, as follows "The river Gila and the part of the Rio Bravo del Norte lying below the southern boundary of New Mexico being, agreeably to the fifth article, divided in the middle between the two republics, the navigation of the Gila and of the Bravo below said boundary shall be free and common to the vessels and citizens of both countries; and neither shall, without the nsent of the other, construct any work that may impede or cerrupt, in whole or in part, the exercise of this right, no interrupt, in whole or in part, the exercise of this right, not even for the purpose of favoring new modes of navigation. Nor shall any any tax or contribution, under any denomination or title, be levied upon vessels or persons navigating the same, or upon merchandise or effects transported thereon, except in the case of landing upon one of their shores. If, for the purpose of making the said rivers navigable, or for maintaining them in such state, it should be necessary or advantageous to establish any tax or contribution, this shall not be done without the consent of both Governments.

"The stipulations contained in the present article shall not impair the territorial rights of either republic within its estab-lished limits."

Mr. DAVIS, of Mississippi. Thus it will be seen that we are very closely restricted. We are even prevented from introducing new modes of navigation, and confined to the strict with est and sternest neutrality on that river. When the proposition was made to the Senate either to admit or deny the oblithere was a treaty obligation in regard to the matter. I knew of no mode of getting rid of that treaty obligation, and I cannot understand the opposition of those who refuse to agree that such improvements shall only be made with the consent of Mexico. This I know, that this will lessen the number of Congressional districts involved in the bitl. I will not at present try to reduce the appropriation, but will try the amend

ment first.

Mr. BRIGHT. The clause of the treaty which has been read escaped my attention. I think it presents a question well worthy the consideration of the Senate. The reading of the treaty shows most conclusively that the United States have no power whatever to interfere with the navigation of that river without the assent of Mexico. It is a treaty stipulation that the United States shall not alter the navigation of that river. When Senators come to consider the treaty, I think

they will decide that a very important question is involved in this, and that we ought to be careful how we make this appropriation. I voted against the amendment of the Senator from Mississippi, (Mr. Foorz,) and I shall certainly change my vote if I have an opportunity of doing so. I therefore move to reconsider the vote rejecting the amendment offered by the Senator from Mississippi.

Mr. BADGER. I suppose that would not be in order

while another question is pending.

Mr. DAVIS, of Mississippi. I withdraw my smendmen for the motion of the Senator from Indiana.

The PRESIDING OFFICER, (Mr. Nonris in the chair. The receion is on the motion of the Senator from Indiana to reconsider the vote rejecting the amendment of the Senator from Mississippi, which was to add the words, "the consent of Mexico first being obtained."

Mr. RANTOUL. Can it be of the slightest use to this

nation, or any part of it, to load this bill with words which are a mere surplusage if they are put in? The treaty of Mexico is the law of the land. If we make an appropriation authorizing the Executive to improve a certain river, he is to do it in conformity with existing laws, until those laws shall be changed. Most assuredly this clause does not set aside the treaty with Mexico, or any part of that treaty. It will stand where it was. It is the law. There can be no need, therefore, of putting into this bill that this money is to be expended in conformity with the treaty. There has been no intimation that it is to be otherwise expended.

it is to be otherwise expended.

Mr. MASON. I submit to the Senator from Massachusetts that, if Congress direct the money to be expended for the removal of obstructions in the Rio Grande, is it not mandatory on the Executive officers to execute the law, and to remove these obstructions, no matter in what part of the river they may be found?

Mr. RANIOVL. I have not the slightest difficulty in

answering the Senator from Virginia. This law authorizes the Executive to do a certain thing. It may be done in such a way as to violate the treaty with Mexico; it may be done in such a way as to conform to the treaty with Mexico. How is it to be construed? In conformity with the treaty, in conformity with pre existing laws, unless it is obviously intended to set aside pre-existing laws. A snag is an obstruc-tion. Can we not take up a snag in the Rio Grande without violating the treaty with Mexico? The Executive is not authorized to violate the treaty. That is my answer to the

Mr. DAVIS, of Mississippi. The Senator from Massa chusetts argues this question as though the Rio Grande were a river similar to other rivers. He talks about the capacity to remove snegs from the river. Does not the Senato know that there are no trees along that river to make snags dame in the stream, and to adapt it to steamboats, you take away all the pools with which they irrigate their fields. This you have no right to do; they never gave you the right. you have no right to do; they never gave you the right.
The river is peculiar; the navigation along it is peculiar; it
has its seasons. It has even been reported that intervals have
occurred where a sand bar has stretched across the atream.
This is of a totally different character from most streams.
There are a totally different character of obstructions to be
removed. This must be considered in consexion with the treaty; and it must be considered in connection with the treaty; and it must be remembered that the people of Mexico did not surrender to us the right to improve the river without their consent.

Mr. FOOTE. This very provision is a proof of the exceedingly hasty manner in which this bill has been conduct-

The question being taken on the amendment, by year and jed. This should urge upon us the necessity of avoid undue haste in legislating upon such important national cor-cerns. I have no doubt at all that unless the Government cerns. I have no doubt at all that unless the Government is exceedingly discreet in carrying the law into effect, a cause of war may be supplied to Mexico. That nation is one of the feebler Powers of the earth, and may not dare to make war; yet it would be a dishonor to our national character to attempt to take away any of her rights without her consent. We should be more circum-pect in relation to this matter. If we allow this to go as it is, it may afford grounds for a serious imputation on the national character, both unjust and undeserved; and I am unwilling to furnish any plausible ground for former charges made in relation to the manner in which this Government acted towards the Republic of Mexico.

The question then being taken on the motion to reconsider, resuited:

resulted:
YEAS—Mesars. Berrien, Bradbury, Bright, Butler, Clemens, Davis, of Mississippi, Dawson, Dickinson, Downs, Foote, Houston, Hunter, King, Mason, Morton, Norris, Soule, and Sturgeon—18.
NAYS—Mesars. Badger, Baldwin, Bell, Chase, Clay, Davis, of Massachusetts, Dodge, of Wisconsin, Ewing, Greene, Jones, Miller, Phelps, Pratt, Rantoul, Rusk, Seward, Shields, Smith, Spruance, Underwood, Wales, and Walk-gr—92.

So the motion was not agreed to.

Mr. HUNTER. There are many here, but I am not one of them, who believe that the session terminates at 12 o'cl. ck to-night. If that be so, we have only some seven hours left in which to consider the appropriation bills, which involve some thirty or forty million.

It is that be so, we have only some seven hours left in which in consider the appropriation bills, which involve some thirty or forty million.

It is that the first that we ought to try once more and see whether the Senate will not take up the appropriation bills. As the matter will be very much in the power of the House of Representatives, there will be no time to submit accordingles of great importance to the appropriation bills. House of Representatives, there will be no time to submit amendments of great importance to the appropriation bills. We have but two alternatives: to take up appropriation bills now or have in extra session. I therefore move to lay this bill on the table, and on that motion I sak the yeas and nays.

The yeas and nays were ordered, and being taken resulted

YEAS—Messrs. Bradbury, Butler, Clemens, Davis, of Missisppi, Dawson, Downs, Foote, Hale, Hamlin, Houston, Hunter, King, Mason, Morton, Norris, Rusk, Soule, and Hunter, King, Mason, Morton, Norris, Rusk, Soule, and Sturgeon—18.

NAYS—Messrs. Badger, Baldwin, Bell, Borland, Bright, Cass, Chase, Clarke, Clay, Davis, of Massachusetts, Dickinson, Dodge, of Wisconsin, Dodge, of Iowa, Ewing, Felch, Greene, Jones, Miller, Phelps, Pratt, Rantoul, Seward, Shields, Smith, Spruance, Underwood, Wales, Walker, and Whitcomb—29.

So the motion was not agreed to. Mr. RUSK. I move to smend the bill by adding the fol lowing:

"For the improvement of Galveston and Mangorda bays, \$30,000 each. For the improvement of the navgation of the Trinity, Brass, and Sabine rivers, in the State of Texas,

After some debate, the question was taken on the am ment, by yeas and nays, and resulted as follows
YEAS—Messrs. Clemens, Foote, Houston, Merton, Rusk

YEAS—Messrs. Clemens, Foote, Houston, Merton, Rusk, Soule, and Turney—f.

NAYS—Messrs. Badger, Baldwin, Bell, Borlind, Bradbury, Bright, Chase, Clarke, Clay, Cooper, Davii, of Massachusetts, Dodge, of Iow, Ewing, Feleh, Greene, Hale, Hamlin, King, Miller, Pheips, Pratt, Rantoul, Seward, Shields, Smith, Spruance, Sturgeon, Underwood, Upham, Wales, Walker, and Yulee—33.

So the amendment was rejected.

Mr. SOULE. Mr. President, I move to insert the bllowing amendment, to come in at the end of the bill : "For deepening the passes of the mouth of the Misissippi iver, one hundred and thirty thousand dollars."

I wish it to be known that I was of the minority who, in committee, voted sgainst reporting this bill to the Senate. I pride myself in belonging to that school of strict constructionists who deny the General Government the right of applying any portion of the public treasure to such improvements as are not of a national character, and such as may be included within those implied powers necessary to carry out an expess constitutional grant. I would willingly accept as the basis of my creed, and as my rule of action with respect to the grave measure in debate, the doctrine laid down in Mr. Polk's celebrated veto message. What opinions he there expressed, i adopt as my own, and nothing can ever induce me to depart from the principles on which they are predicated. Whenever the provisions of that bill shall be restrained to such improvements as are either sanctioned by the constant practice of the Government, from its institution to this day, or fall clearly within the sphere of such works as are necessary to carry out a great national object pointedly contemplated by the framers of the constitution, I will give it my earnest and cordial support. But I am determined to go no further; and, moreover, to exert all my powers and my energies to prevent others from transgressing that line, which I consider as carrying as far as they can be safely carried, the limits of fair constitutional construction. In presenting this amendment, I feel assured that I remain within the strict rule which I have just laid down. t provides for an improvement of ne sectional import, whose haracter will not be denied to be such as must remove all constitutional scruples. It but seeks to carry out the inten-tions of the National Legislature, as conveyed through the tions of the National Legislature, as conveyed through the appropriation made at the last session, in order that surveys might be made, and the question decided whether or not the passes at the mouth of the Mississippi could be so deepened as to afford a safe and easy entrance into, and egress from that river, to vessels drawing upwards of eighteen feet of water. Well, the survey has been made, and I hold in my hand an able, comprehensive, and most luminous report on the practicability of the work for which this appropriation is asked. And, as I could not lay before the Senate views more in rount and more condensed than those presented in asged. And, as I could not say before the Senate views more in point, and more condensed than those presented in that report, I desire permission to use it in lieu of the speech which otherwise I would feel compelled to deliver, and to have it read from the desk of the Secretary.

The SECRETARY proceeded to read the report.

Mr. DAVIS, of Massachusetts. I move to dispense with the reading of the paper.

Mr. FOOTE. I do not think we can vote understandingly

ithout hearing it read.

Mr. SOULE. I hope the motion of the Senator from Mas Mr. SOULE. I hope the motion of the Senator from Massachusetts will not prevail. That report was ordered to be printed by the Senate, and I do seriously consider that, unless the report be read, it is impossible that Senators can vote understandingly on the amendment.

Mr. BADGER. I rise to a question of order. I understand a question is raised as to the reading of that paper, which must be decided without debate.

Mr. FOOTE. I rise to a point of order also. I understand the Senator from Louisians to have stated distinctly that

stand the Senator from Louisiana to have stated distincly that he simply wished this document read as a part of his speech. Therefore, I think the Senator from Massachusetts is not in

rder in moving to dispense with its reading.

Mr. BADGER. I object to it, and that brings up the Mr. SOULE. I give notice that the motion, if it prevail, will have no effect, for I am determined that the Senate shall understand the matter; and if the report be not read by the Secretary, I shall read it myself.

Mr. BADGER. The Senator has no more right to read

himself than to have it read. Mr. FOOTE. I call for the yeas and nays on the motion o dispense with the realing.

The yeas and nays were ordered, and being taken, resulted

YEAS—Messrs. Badger, Baldwin, Bell, Bright, Chase. Clarke, Clay, Cooper, Davis, of Massachusetts, Dodge, o Wisconsin, Dodge, of Iowa, Ewing, Greene, Miller, Pearce, Phelps, Rantoul, Smith, Spruance, Underwood, Upham, and

Phelps, Rantoul, Smith, Spruance,
Walker—22.
Walker—22.
NAYS—Mesars. Borland, Butler, Cass, Clemens, Dawson,
Dickinson, Felch, Foote, Gwin, Hale, Houston, Hunter,
Mason, Morton, Norris, Rhett, Rusk, Sebastian, Seward,
Soule, Sturgeon, Turney, and Yulee—23.
Bo the motion was not agreed to.
The Szcartary proceeded to read the decument, and aving read some time—
Mr. PHELPS rose and said : I would recommend to the Senate to have the residue of the document read after our adjournment, and I make a motion to dispense with the fur-

adjournment, and I make a motion to dispense with the further reading at this time.

Mr. FOOTE. Is that motion in order?

Mr. PHELPS. No one listens to it. It can be read as well and as profitably after the fourth of March as now.

Mr. FOOTE. A proposition was made to dispense with the reading, and it was voted down.

Mr. COOPER. This is a motion to dispense with the

further reading.

Mr. FOOTE. A partion of it had been read before, when the motion was made to dispense with the reading. This is the same proposition, and I trust we may have it read; it is really one of the most interesting, and instructive, and beautiful reports I have ever heard.

Mr. BADGER. To those who desire to hear the document of the same and confu-

ment, I beg to say that there is so much "noise and confu-sion" that we cannot hear one word.

The PRESIDING OFFICER, (Mr. Norms in the chair.) The motion is to dispense with the further reading-It is the opinion of the Chair that the motion can be enter-

WASHINGTON: SATURDAY, MARCH 29, 1851.

Mr. DAVIS, of Mississippi. I trust I have nothing so pe-culiar in my mode of stating the subject. I was about to withdraw the appeal which I had taken. The Senate have

discussed the question of reading the document until the whole subject is dead. If the reading were to commence at have now no interest in having it read, as that object has been | prisuon bills and avoid embarrassment to the Add

Senate upon the question. The Senate had ordered the reading of the document by a vote of the Senate; that document was partially read, when a Senator moved to dispense with the further reading. It belongs to the Senate to say whether they will dispense with the reading or not. The question was raised whether it was proper to make such a motion, and on the decision of the Chair being announced that it was proper, the Senator from Mississippi took an appeal. The yeas and nays have been ordered on that question, and they cannot be mithdrawn except by the uppniments consent of the Senator. be withdrawn except by the unanimous consent of the Senate. The question is, is the decision of the Chair correct?

Mr. DAVIS, of Mississippi. Before the question is taken, I wish to put myself right. I say nothing had intervened, and part only of the document had been read when a motion was made to dispense with the reading of the remainder. I hold that as only a part had been read when the Senate or-dered the reading of the whole, the decision was not parlia-

When the Senator from North Carolina moved to dispense with the reading of the report there was no positive order to read the report, but the Senate overruled the motion to disread the report, but the Senate overruled the motion to dis-pense with the reading. Sir, I hope it will be taken down by the stenographers that the reading of this report has occu-pied about one hour of the most precious time that any delib-erative body ever had. Well, sir, the Senate overruled the motion to dispense with the reading; and has not the Senate a right to say at any time during the progress of the reading of the report that they will dispense with the further reading? This is the question, whether, as they refused to dispense with the reading at first, they have not the right to say, after an hour has been senat in its reading, they will dispense with the further reading of the report?

Mr. FOOTE. I merely wish to say, in perfect good hu-

mor, that really it seems to me nothing should excite us now; for we are getting on extremely well and very calmly. I was about to say that if the reporters should note the fact suggest ed, as it would be going out of their ordinary line to do so, I hope they will also report that the report which was refused to be read was of a very interesting character and a very scienfic one, containing a vast amount of valuable instruction.

Mr. DAVIS, of Mississippi. The Senator from Kenucky, (Mr. CLAY,) for the second time in this debate, assumes to lecture members of the Second time in this decate, as-sumes to lecture members of the Senate, because of a course of opposition to this bill, in which I participate. He first raised the question of fairness in the assertion of a right to check the majority by the privileges of the minority; which nvolves the consideration whether the minority are entitled to parliamentary law or not. Who are these rules made for? For the stronger? They need no defence. If not for the micessarily must be made to protect the minority in their rights, among which not the least is the right to be heard before they hour after hour in speaking on petitions, on questions of re-ference, and on this bill, talks about the precious time wasted in reading the report. Why is time so precious consumed? Because the last hours of the session are wasted by that Sena-tor and his trained band insisting upon the further considera-

lectured for doing what constitutional opinions require? Is it in order that the minority, who are contending under parliamentary rules for constitutional rights, who are resisting what they believe to be an encroachment upon principles as sacred as the preservation of the Union itself, should be rebuked beas the preservation of the Union itself, should be rebuked because they do not passively yield to the dictation of the majority? If, sir, we live under a Government of fixed law, if the minority have rights of which the majority cannot justly deprive them, I ask where is the propriety of holding those eensurable who take advantage of the rules made for the r protection? Upon what foundation rests the claim of the majority to govern? Is it absolute? Is it a natural right? or is steion? Upon what foundation resis the claim of the major of the thing of the thing

The PRESIDING OFFICER. A large portion of the document has been read. A motion has been made to dispense with the further reading. The Chair has decided the motion to be in order, and from that decision the Senator from Mississippi takes an appeal.

Mr. DAVIS, of Mississippi. Upon that appeal I ask the years and nays.

The years and nays were ordered.

Mr. POOTE spoke at much length on the subject of the appeal.

Mr. MASON. I understood the Senator from Kentucky, whom I do not see in his sent, (Mr. Clar,) to say this morning, that when he became satisfied that it was the purpose of the minority to defeat the passage of this bill, he would vote to lay it on the table. I presume by this time he is satisfied. I do not know how far gentlemen on that side agreed with him, and, to test the matter, I move to lay the bill upon the table.

Mr. WALKER. Is that in order while there is a question of the Government?

Cessity—let them do it. If we much tails and order to prevent them from involving the country and embarrassing the Government, an intelligent people will and embarrassi

willing to close the session without providing the means to carry on the Government?

I said of this bill on last Saturday what I believed to be its of the Senator from Virginia is not in order, and that the appeal decision of the Chair was given that I presume Senators have lost sight of it. I take no special interest in the question. I shall not take issue whether the remainder of the paper shall be read or not. There were only two or three pages left, and it might have been read and re-read while we have been arguing whether it should be read or not. I take but little interest in the question of reading, because I have read the document myself, and presume most others have.

The PRESIDENT. The Chair will ask the Senator from Virginia to state his motion.

Mr. MASON. It was to lay the bill on the table. boring masses with oppressive taxation to support a favore

Mr. PEARCE. If the Senator from Mississippi will withdraw his appeal, I will move to lay the bill upon the table.

Mr. MANGUM. Can it be withdrawn?

The PRESIDENT. The year and nays have been order

whole subject is dead. If the residing were to commence at the point where it was interrupted, no one could establish the compexion between the portion which has been read and that which remains. The object, therefore, in calling for the reading is lost by the motion of the Senator from Vermont. I move to lay the bill upon the table. I am anxious that the have no desire to have it read after it has been broken off. I means of supporting this Government shall be supplied withwanted it read in connexion, when the few pages which were left would be in connexion with what has gone before. I anxious, so far as within me lies, to pass the regular appromy station, and I intend that the responsibility shall rest upon those to whom it belongs. I. for one, will not bear a single appropriation bills, in order that they may carry over the heads of those who have constitutional objections a measure which will appropriate dollars and cents to the local or party interests with which they are most closely connected. I am prepared at any time to waive this question of appeal, if the Senate is to cease from the discussion of a disputed power and exercise that conferred upon them by pre-existing laws. I hold that so long as this river and harbor bill is forced upon our consideration, that we have a right to discuss it as fully as thos bave done who are its peculiar friends. That we have a right to present our case fairly before the country, and to exhibit those who are responsible for the defeat of the appropriation bills in their true light. It is no new question, and it must have been foreseen, when at the eleventh hour of this session the bill was introduced, that the State-rights Democrats of the Senate would resist this assumption of power by the Federal Government. Foreseeing this, I ask why it was forced upor propriation bills were yet to be considered ! Are they wh esist, or they who force us to resistance, responsible for the consequences that may follow? I am willing to risk the judg-

issue.

Mr PHELPS. I feel bound to apologize to the Senate for ne during the progress of the reading having involved them in this debate. Permit me to say that will dispense with the further reading having involved them in this debate. Permit me to say that my only object was to put an end to the proceeding, which I thought was tedious to the whole Senate. I admit that I have been extremely unfortunate, and if I were to remain here its reading, they will dispense with longer, I think I should be extremely careful how I attempted to save the time of the Senate. Permit me to say, and I think I may say it with truth, that something like a hour was spent in the reading of that document, and no human being that I am aware of, in this chamber, was listening to it. Well, sir, when this sort of—I will not call it discourtesy, because it would not be parliamentary if I did—but when we have the reading of documents which occupy an hour and half or two hours, is a gentleman, because he chooses to ask that the reading may be dispensed with, to be charged with nterfering with the freedom of debate? I do not know that the Senator from Mississippi will hear me, but I should be very much gratified if he will tell me whether he listened to the

much grained if he will tell me whether he listened to the reading of that document at all '
Mr. DAVIS, of Mississippi. No, sir, I could not hear'it; the talking was so great I could not hear. I concede so much to the Senator from Vermont. But with the deep interest I have in the subject, if I had not read it myself before, I should have drawn up nearer to the Secretary and heard it. I had

Mr. PHELPS. The Senator is very frank in answer my question. If he did not hear it, or did not choose to listen, why should he object to my motion to suspend the reading?

Mr. DAVIS, of Mississippi. It was that those who had

not read it should know what there was in it. I took it for granted that the honorable Senator from Vermont had not that interest in the mouth of the Mississippi which would lead tion of this bill.

The PRESIDENT. The Senator should not make such and I wanted him to hear it before he was called to act on the Mr. PHELPS. I want to know sgain, can the Senator

tell me of any body that did listen? Mr. FOOTE. I did, and was very much interested. have stated that before.

After some further debate, the question was taken upon the

After some further debate, the question was taken upon the appeal from the decision of the Chair upon the motion of the Senator from Vermont to suspend the further reading of the report, with the following result:

YEAS—Messra. Atchison Badger, Baldwin, Bell, Borland, Bright, Cass, Chase, Clarke, Clay, Cooper, Davis, of Massachusetts, Dodge, of Wisconsin, Dodge, of Iowa, Douglas, Ewing, Felch, Greene, Hale, Jones, Mangum, Miller, Morton, Norris, Pearce, Phelps, Pratt, Rantoul, Scward, Shields, Smith, Spruance, Underwood, Upham, Walker, and Whiteomb—36. NAYS—Messra Berrien, Butler, Clemens, Davis, of Mississippi, Dawson, Downs, Houston, Rhett, Rusk, Soule, Turney, and Yulee—12.

So the decision was sustained.

The PRESIDING OFFICER. There has been the reading of a large part or the document.

Mr. DAVIS, of Mississippi. I think nothing has intervened which can allow the question to be taken again.

The PRESIDING OFFICER. Does the Senator appeal it; if they are willing to paralyze it for the future; if they are willing to paralyze it for the future; if they are willing to drive it to the call of an extra session—a measure which sacrifices every Administration brought to that necessity—let them do it. If we must sacrifice our constitutional opinions in order to prevent them from involving the country and embarrassing the Government, an intelligent people will assign to each the just share of the responsibility for whatever results may ensue. Let the Government stop, if thus only Mississippi takes an appeal.

Mr. DAVIS, of Mississippi. Upon that appeal I sak the

upon the table.

The question was taken upon the motion to lay on the table, with the following result:

YEAS—Mesers. Atchison, Bradbury, Butler. Clemens, Davis, of Missiasippi, Dawson, Downs, Foote, Gwio, Hamlin, Houston, Hunter, King, Mason, Morton, Norris, Pearce, Rhett, Rusk, Soule, Sturgeon, Turney, and Yulec—23.

NAYS—Mesers. Badger, Baldwin, Bell, Borland, Bright, Cass, Chase, Clarke, Clay, Cooper, Davis, of Massachusetts, Dickinson, Dodge, of Wisconsin, Dodge, of Iowa, Ewing, Felch, Greene, Jones, Mangum, Miller, Phelps, Pratt, Rantoul, Sebastian, Seward, Shields, Smith, Spruance, Underwood, Upham, Wales, Walker, and Whitcomb—33.

So the motion was not agreed to.

Mr. SOULE. I had not concluded my remarks. I understand the question has not been decided upon the subject of having the report read.

omb-27.

NAYS—Messrs. Atchison, Butler, Clemens, Davis, of Mississippi, Dawson, Downs, Foote, Gwin, Houston, King, Mason, Morton, Norris, Rhett, Rusk, Soule, Sturgeon, Turney, and Yulee—19.

So the further reading was dispensed with.

Mr. SOULE. When the reading of the report was suspended there remained but three pages to be gone through; and those three pages contained the conclusions drawn from the facts established in what preceded. Among other things ided in them was an expenditure of one hundred an thirty thousand dollars, which the learned and skilful engineer considered would be amply sufficient to enable the Government to purchase the necessary machines and boats to be used in the prosecution of the work, and to complete the first deepening. An annual expenditure of forty thousand dollars would then be required to keep the passes open, and to afford a channel with a depth of twenty feet through their whole extent.

I will not insist longer on this topic. I had announced, upon introducing my amendment, that I would confine myself to the reading of the report. I now redeem my pledge, and consent that a vote be taken without any further remark.

Mr. DOWNS. I have abstained through this day from

taking up any of the time of the Senate. I wish to avoid it, if possible; but, inasmuch as it seems to be attempted on both sides of this struggle to show where the responsibility ought to lir, and as the experience of the last two days shows that we are to do no more business, but talk, I think it is just as well that I should talk as others. I therefore depart from that rule which I have pursued this day, and during the discussion on this subject, and wish to offer some remarks on this amendment. I do it because I think the amendment just and proper; and, in addition to that, I do it because I think it is a fair ubject to illustrate the character of this bill, and the manner n which it is to be carried through.

Mr. FOOTE. I do not rise to make a speech, but to say that I shall act on the principle which has guided my conduct to-day and for several days heretofore, and endeavor, as far as possible, not to consume any time in useless debate. This is an important proposition, and embraces the interests of the State of Mississippi as well as of the State of Louisians. We live very near the mouth of the river, and it so happens that although for the State of Louisians a considerable appropria-tion has been made, yet in this bilt not one single appropria-tion is made for the State of Mississippi. Any one who will look at the map will see that there is no better watered State than Mississippi. The Yazoo, the Tallahachie, the Big Black, the Yalabusha, and other rivers are navigable for many huncontempt, and are expected to bargain out the called a messeral funds of the Government for what may be called a messeral funds of the Government for what may be called a messeral funds of the great Mississippi river. If we were in an attitude to be bought up, this appropriation is surely too small to accomplish that ob-ject. But I believe I may say for my constituents that they are not in such an attitude; they cannot be induced either by appropriations of land or money to violate their sense of pro-priety and the principles which have been so long endeared to

I did not feel at liberty to say less than this, and I will not say more, because I am unwilling to consume the time of the Senate unnecessarily. I do hope that after a while the friends of the bill will become a little reasonable, and, yielding to the exigencies of the moment, will act on the appropriation bills and the various important treaties before us.

The question being taken on Mr. Soulk's amendment by yeas and nays, resulted as follows:

YEAS—Messra. Berrien, Clemens, Davis, of Mississippi, Dawson, Downs, Foote, Houston, King, Morton, Rusk, Soule,

Dawson, Downs, Foote, Houston, King, Morton, Ruak, Soule, and Yulee—12.

NAYS—Messrs. Atchison, Badger, Baldwin, Bell, Borland, Bright, Casa, Chase, Clarke, Clay, Cooper, Davis, of Massachusetts, Dickinson, Dodge, of Wisconsin, Dodge, of Iowa, Ewing, Felch, Greene, Hamlin, Jones, Miller, Norris, Pearce, Pratt, Rantoul, Seward, Smith, Spruance, Sturgeon, Underwood, Upham, Wales, Walker, and Whitcomb—34.

So the amendment was rejected. The honorable Senator from Kentucky seems to suppose it

is unfair or presumptuous in what he calls the minority to op-pose this bill against the majority. But, even admitting that there is a majority in favor of this bill, which I do not admit, still the minority have rights. They have a right to be heard; they have a right to express the reasons why they object to this bill; and they have a right to endeavor to perfect it as much as possible, to avoid the evils in it. So far from being unfair on their part, it would be unfair for the majority, if they had the power, to force through silently such a bill, without the missier has a second of the second the minority having any power to expose the enormities of the bill itself. That is what I want to do, and it is what I intend to do. I am inclined to think it is a very strong argument spainst the bill. It shows there is something in it which will not bear the test of scrutiny and examination; comething in it that its friends are not willing to expose to the public gaze, when they have abstained through a long session, and have waited until two days of the end of the short session, and there

is a woid the suffered agree to which the manifested displeasure exposes us.

Mr. President, for three days I have endeavored here, as chairman of the committee to which the Senate referred certain questions, to report them back. For three days I have endeavored here, as chairman of the committee to which the Senate referred certain questions, to report them back. For three days I have endeavored to report, as mended in committee, a bill which had passed the House and was entitled to the action of the Senate. Each day the morning business has been dispensed with, and a haughty majority, disregarding slike the usual form of proceeding and the wishes of the minority, have correct the immediate consideration of ther favorite measure.

And now, in the expiring bours of the seasion, though every appropriation bill is waiting to be passed, we are driven onward by their determination to adhere to the river and harbor bill. Do they hops that our opposition will be withdrawn to prevent the defeat of the necessary appropriation bills? I waiting to be passed, we are driven onward by their determination to adhere to the river and harbor bill. Do they hops that our opposition will be withdrawn to prevent the defeat of the necessary appropriation bills of the season, and had the power to check the passed of the season, and had the power to check the passed of the season, and had the power to check the passed of the season, and had the power to check the passed of the season, and had the power to check the passed of the season, and had the power to check the passed of the season, and had the power to check the passed of the season, and had the power to check the passed of the season, and had the power to check the passed of the season, and had the power to check the passed of the season, and had the power to check the passed of the season, and had the power to check the passed of the season, and had the power to check the passed of the season, and had the power to check the passed of the season of the season of the season, an